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**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Michael Reasoner

Serial No.: 09/115,767 4

Group Art Unit: 3682

Filed: July 15, 1998

Examiner: V. Luong

For: CONDUIT SHORTENING ADJUSTMENT ASSEMBLY

**APPEAL BRIEF**

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Subsequent to the filing of the Notice of Appeal on March 27, 2003, Applicant now submits a brief in support of the appeal. This appeal brief is submitted in triplicate and accompanied by the required fee under 37 C.F.R. § 1.17(f).

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**REAL PARTY IN INTEREST**

The real party in interest in this Reissue Application is Teleflex Incorporated, the assignee of all rights and interest in the Reissue Application, as evidenced by the assignment recorded August 12, 1995 at Reel 8080, Frame 0267.

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### **RELATED APPEALS OR INTERFERENCES**

This is the second appeal of the same claims that were allowed by the Board of Patent Appeals and Interferences (the Board) on March 29, 2002.<sup>1</sup> There are no other related appeals or interferences.

### **STATUS OF CLAIMS**

Claims 4-29 and 37-40 remain pending in the subject Reissue Application with Claims 4, 18, 19, 20, and 37 being in independent form. Claims 4-29 and 37-40 stand finally rejected under 35 U.S.C. § 251 as being an improper recapture by deleting the phrase “in tension”.

### **STATUS OF AMENDMENTS**

No amendments after final rejection have been filed.

### **SUMMARY OF INVENTION**

The invention resides in the use of a coil spring to react between telescoping components to urge first and second conduit sections together, as distinguished from the prior art being urged apart. The Board has already acknowledged the “invention” to be patentable in the previous appeal and stated that the coil spring in the prior art of record “biases the adjustment components [(14 and 21)] in such a fashion as to tend to lengthen the overall length of the conduit sections, rather than shorten it, as the claim requires.”

The drawings of the subject invention are attached at Exhibit 1 for the Board’s convenience. Referring to the Figures and the Detailed Description section of the parent application, Applicant’s invention relates to a motion transmitting remote control assembly 10 that transmits motion in a curved path via a core element 12. As shown in Figure 1, the assembly includes first 14 and second 16 conduits that movably support the core element 12. The first conduit 14 includes a male member 18 and a second conduit 16 includes a female member 20. The male 18 and female 20 members define telescoping adjustment components

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<sup>1</sup> See *Ex parte Michael Reasoner*; Appeal No. 2001-0709; Application No. 09/115,764; Decided on Mar. 29, 2002.

that interconnect the first 14 and second 16 conduit sections for adjusting the overall length of the conduits 14, 16.

As best shown in Figures 3A, 3B, and 4, a spring 22 interacts with the male 18 and female 20 components to bias the components 18, 20 together to shorten the overall length of the first 14 and second 16 conduit sections. A retainer 24 is disposed on the male member 18 during assembly for retaining the spring 22 in compression. The spring 22 is a coil spring that is spiraled around the male member 18.

As shown in Figures 4 and 5, a locking member 19 is supported by the female member 20 and engages teeth 21 along the male member 18 when in a locked (adjusted) position to prevent relative telescoping movement between the members 18, 20.

Claim 1 of the parent application was amended to state that the coil spring 22 interacts in tension between the adjustment components 18, 20 to bias the components together to shorten the overall length of the first and second conduit sections 14, 16.

The sole reason for this Reissue Application is to remove the phrase “in tension.” Although intuitively the spring would appear to be in tension (and could be in tension in some embodiments), the spring is in compression in the illustrated embodiment. The use of the phrase “in tension” in referring to the state of the spring was an error, inconsistent with the description, and is confusing.

In the previous appeal, the Board allowed the claims without the phrase “in tension” over the prior art. Yet the Examiner refers to the prior art and states in the FINAL REJECTION: “The spring in tension is why the claims were allowed in the parent application. To remove this limitation in the reissue claims is recapture.”

### ISSUE

Whether the removal of the phrase “in tension” from Claims 4-29 and 37-40 is recapture under 35 U.S.C. § 251 notwithstanding the previous allowance of the claims by the Board over the prior art without the phrase “in tension.”

### GROUPING OF CLAIMS

As to the rejection applied to Claims 4-29 and 37-40 under 35 U.S.C. § 251, it is Applicant's intention that the rejected claims stand or fall together as they all remove the phrase "in tension."

### PROSECUTION HISTORY

It would intuitively appear that in order for the coil spring to shorten the distance between two conduit sections, the spring would be in a shortening mode or in tension. Although the spring could be in such tension, it is in compression in the embodiment illustrated. The phrase "in tension" was inadvertently added to the original claims along with other amendments. Accordingly, the subject Reissue Application was filed July 15, 1998 to remove the mistakenly used phrase "in tension." The Examiner initially refused the Reissue Application based on various rejections under 35 U.S.C. §§ 102, 112. After numerous interviews and responses, Applicant appealed a final rejection. The Board overturned all of the substantive rejections made by the Examiner, and acknowledged the patentability of using a coil spring to shorten the overall length of two conduit sections and allowed the claims without the phrase "in tension." The only amendments to the claims after the first appeal were to change "members" to - -components -- in claim 37, change the dependency of claim 17 from "1" to - -4- -, and cancel claims 30-36. Otherwise, the claims currently pending in the subject Reissue Application are identical to the claims previously allowed by the Board.

However, after the decision by the Board, the Examiner again rejected the claims based on many issues that were already decided by the Board as well as some new issues. Applicant reiterated some of the decisions made by the Board in order to overcome the rejections already decided by the Board. On January 27, 2003, the Examiner mailed a FINAL REJECTION in which all of the rejections and objections were withdrawn except for a rejection based on recapture of surrendered subject matter based upon the removal of the phrase "in tension." This recapture rejection is the only issue in the subject appeal.

## ARGUMENT

Applicant's argument is simply that, the phrase "in tension" was not surrendered during prosecution and since the Board has allowed the claims over all of the prior art of record without the phrase "in tension," the Examiner's position that the phrase "in tension" is necessary to define over the prior art is *ipso facto* in error.

### I. Standards for finding Recapture.

Recapture requires a two-step test, see *In re Clement*, 131 F.3d 1464, 45 USPQ 2d 1161 (Fed. Cir. 1997).

#### A. First Step - Determining Scope of the Claims.

The first step in applying the recapture rule is to determine whether and what aspect the Reissue claims are broader than the patent claims. For example, a Reissue claim that deletes a limitation or element from the patent claims is broader in that limitation's aspect. *In re Clement*, 131 F.3d at 1468-69, 45 USPQ 2d at 1164. The Courts must determine in which aspects the reissue claim is broader, which includes broadening as a result of omitted limitation. *Mentor Corp. v. Coloplast, Inc.*, 998 F.2d 992, 994, 27 USPQ 2d 1521, 1524 (Fed. Cir. 1993).

#### B. Second Step - Determining Surrendered Subject Matter.

The second step in applying the recapture rule is to determine whether the broader aspects of the Reissue claims relate to surrendered subject matter. To determine whether an applicant surrendered a particular subject matter, one should look to the prosecution history for arguments and changes to the claim made in an effort to overcome a prior art rejection. See *In re Clement*, 131 F.3d at 1468-69, 45 USPQ 2d at 1164; *Mentor*, 998 F.2d at 995-96, 27 USPQ 2d at 1524-25. Criteria for determining that subject matter has been surrendered includes an analysis to determine if the element being omitted was presented, argued, or stated in the original Application to make the claims allowable over a rejection. See *MPEP 1412.02 Recapture of Cancelled Subject Matter*.

The courts have found that the recapture rule does **not** apply when there is no evidence that the patentee's amendment of its originally filed claims was, in any sense, an admission that the scope of the claims was not in fact patentable. *Seattle Box Co. v. Industrial Crating and Packaging, Inc.*, 731 F.2d 818, 221 U.S.P.Q. 568 (Fed. Cir. 1984).

Discussing what may constitute a surrender for purposes of the recapture rule, the court in *Hester Indus., Inc. v. Stein, Inc.*, 142 F.3d 1472, 46 U.S.P.Q. 2d 1641 (Fed. Cir. 1998), stated that:

As a general proposition, in determining whether there is a surrender, the prosecution history of the original patent should be examined for evidence of an admission by the patent applicant regarding patentability.... In this regard, the claimed amendments are relevant because an amendment to overcome a prior art rejection evidences an admission that the claim was not patentable.... Arguments made to overcome prior art can equally evidence an admission sufficient to give rise to a finding of surrender.... Logically, this is true even when the arguments are made in the absence of any claimed amendment. Amendment of a claim is not the only permissible predicate for establishing a surrender.

As such, it is clear from the MPEP and the case law regarding recapture that the recapture rule only applies when the amendment and/or argument is/are made in an effort to overcome a prior art rejection.

## **II. Applying the Recapture Rule to Claims 4-29 and 37-40.**

### **A. First Step - Determining Scope of the Claims.**

As set forth above, the first step in applying the recapture rule is to determine whether and what aspect the Reissue claims are broader than the patent claims. The Examiner states that "applicant plainly broadens the issue [sic] claims by deletion of the specific functional limitation 'in tension'." The removal of the phrase "in tension" is not a matter of scope, it is a matter of clarity. As stated above, use of the phrase "in tension" is clearly an error, inconsistent with the description, and confusing. Such an erroneous, inconsistent and confusing term could not have been the distinguishing limitation for patentability over the prior art. However, for the purposes herein Applicants will concede that each of the independent

claims of the present Reissue Application are broader by the mere deletion of the phrase “in tension,” but will not concede that the term was used to overcome the prior art.

### **B. Second Step - Determining Surrendered Subject Matter.**

The second step in applying the recapture rule is to determine whether the broader aspects of the Reissue claims relate to surrendered subject matter to overcome prior art. It is the determination of the surrendered subject matter where the Examiner and the Applicant differ. The original addition of the phrase “in tension” was not necessary to overcome the prior art. It does not matter whether the spring is “in tension” or compression to overcome the prior art; as the Board found in the previous appeal the prior art fails to include “elements reacting with the spring to bias the adjustment components ‘together in the direction to shorten the overall length of said conduit sections’.”

#### **1. Examiner’s Contentions**

The Examiner now contends that the phrase “in tension” was “expressly argued to overcome the prior art of record and the art used in the rejection in the parent case, thus, this is an attempt to recapture. . .”. The Examiner argues that a review of the prosecution history of the parent application (U.S. Serial No. 08/573,561), shows that the Applicant explicitly argued that “claim 1 has been amended to include the coil spring in tension between the adjustment components (18, 20) to bias the components together to shorten the overall length of the first and second conduit sections (14, 16). The coil spring in tension is structure and none of the prior art suggests this combination.” The Examiner goes on to state that “[t]he spring in tension is why the claims were allowed in the parent application.” The Examiner contends that “[t]o remove this limitation in the reissue claims is recapture.”

Accordingly, although not specifically stated by the Examiner, Applicant assumes the Examiner is contending that the phrase “in tension” is surrendered subject matter. In addition, Applicant assumes the Examiner is contending that this surrendered subject matter cannot be deleted from the Reissue claims due to the recapture rule.

To support this position, the Examiner includes a copy of the first office action on December 2, 1996 of the parent application, attached here at Exhibit 2, and a copy of

Applicant's Amendment filed on January 8, 1997 in response to the first office action, attached here at Exhibit 3. The Examiner focuses on the Applicant's use of the phrase "in tension" in the response. The Examiner concludes that the incorporation of the phrase "in tension" and the arguments associated with the phrase "in tension" were a primary reason that a rejection based on prior art U.S. Patent No. 5,039,138 to Dickirson was overcome. The Examiner specifically states "applicant's amendment under 37 CFR 1.111 knowingly or intentionally added the specific limitation 'in tension' in order to obtain allowance over the prior art of record as evidence by applicant's own statement."

## 2. Applicant's Contentions

Applicant submits that the phrase "in tension" did not form a basis for overcoming the rejections on any of the prior art of record. The phrase "in tension" was inserted to simply state the mode of the unique shortening spring and operation of the invention as already claimed. Unfortunately, there was a mental error in associating the phrase "in tension" with the coil spring, which, as illustrated, is actually in compression. As discussed above, the recapture rule does not apply unless the term or phrase being removed was surrendered to overcome the prior art.

The following is a reproduction of independent claim 1 in the parent application showing all added and deleted subject matter;

1. A motion transmitting remote control assembly (10) [of the] type for transmitting motion in a curved path [by motion transmitting core element], said assembly comprising:

first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections;

[said assembly characterized by] a coil spring (22) interacting [with] in tension between said adjustment components (18, 20) to bias said

components together to shorten the overall length of said first and second conduit sections (14, 16).

The following quotes are arguments taken from the first response;

The prior art is simply devoid of any suggestion of employing a spring in a telescoping conduit of a remote control assembly to urge the conduit sections together. In all prior art systems the conduit sections are urged apart.

Applicant continued to state;

Therefore, claim 1 has been amended to more clearly bring out this distinction and to incorporate limitations indicated as allowable by the examiner. . . . The important limitation in claim 8 which more specifically defines the invention is the "coil" spring. Claim 1 has been amended to include the coil spring that is in tension between the adjustment components (18, 20) to bias the components together to shorten the overall length of the first and second conduit sections (14, 16). The coil spring in tension is structure and none of the prior art suggests this combination.

Applicant differentiated claim 1 from the cited prior art by stating;

The patent to Dickirson '138 is not remotely suggestive of the subject invention because it merely discloses a snap-together assembly which is held together by nut 242 having flexible projections 244 which dig into the inner component. There is absolutely no coil spring in tension to urge the telescoping components into one another in Dickirson '138.

The amendments made to the claim were to state the mode of the unique shortening spring feature of the invention and not to specifically define over a prior art rejection. The attendant arguments were also designed to state the mode of the unique spring shortening feature of the invention. The unique feature of the invention is clearly a **coil spring** in a telescoping unit of a remote control assembly to **urge the conduit sections together**. It is irrelevant whether the coil spring is in tension or compression, and it could be in either. A mistake was clearly made in using the word "in tension." This Reissue seeks to remedy that mistake.

Upon a careful review of the remarks, it is clear that the use of the phrase "in tension" was only used in conjunction with describing and clarifying other unique terms and

function in the claim. For example, the phrase “in tension” is used in conjunction with discussion of the coil spring biasing the components together to shorten the overall length of the first and second conduit sections. Nowhere in the remarks is the phrase “in tension” used independently to argue uniqueness in and of itself. Hence, Applicant did not argue the novelty of the phrase “in tension” as a unique feature of the claim; instead applicant argued a coil spring for shortening the conduit sections. The third paragraph in the Remarks section, which is reproduced above, succinctly summarizes the novelty arguments made to the Examiner at the time and is worth repeating again;

The prior art is simply devoid of any suggestion of employing a spring in a telescoping conduit of a remote control assembly to urge the conduit sections together. In all prior art systems the conduit sections are urged apart.

In other words, the prior art of record, including the Dickirson ‘138 patent, only disclosed components being biased away from each other which lengthened the overall length of the conduit sections, rather than urging the conduit sections together to shorten the overall length as required by claim 1.

In the previous appeal of the present Reissue Application, the Board agreed with the Applicant and determined that the subject Reissue claims 4-29 and 37-40 were allowable over the prior art of record *without the phrase “in tension”*. This is further evidence that the phrase “in tension” is irrelevant to the patentability of the claims. In particular, the Board stated that the claim of having a spring to bias adjustment components together in a direction to shorten the overall length of the conduit sections is unique and unobvious and not shown in the prior art of record. The Board specifically stated that the coil spring in the prior art of record “biases the adjustment components [(14 and 21)] in such a fashion as to tend to lengthen the overall length of the conduit sections, rather than shorten it, as the claim requires.” The Board also stated “[Teichert’s] spring [38] biases elements [36 and 58] away from one another, thus tending to lengthen the overall length of the conduit sections”.

### **III. Summary**

The record, wherein the claims have been deemed allowable without the phrase “in tension,” refutes the Examiner’s position that the phrase “in tension” is necessary to overcome the prior art. As stated above, the recapture rule only applies when the amendment or argument is made in an effort to overcome a prior art rejection. The use of the phrase “in tension” was used merely to state the condition of the patentably distinguishing coil spring to shorten the overall length of the conduit sections and was not used to overcome a prior art rejection per se. In other words, the phrase “in tension” was never argued as being unique in and of itself. As a phrase inconsistent with the description, “in tension” could not have been and was not surrendered during prosecution of the parent application. The clear, unique feature of the subject invention, as reconfirmed by the Board in the subject Reissue Application, is employing a coil spring in a telescoping conduit of a remote control assembly to urge the conduit sections together. The phrase “in tension” can therefore be deleted from the present reissue claims and the recapture rule does not apply. In other words, the Examiner has improperly applied the recapture rule to the phrase “in tension” and this rejection should be overturned.

**CLOSING**

For the reasons set forth above, the rejections of Claims 4-29 and 37-40 under 35 U.S.C. § 251 must be reversed.

A check in the amount of \$320.00 is enclosed herewith to cover the fees for the subject Appeal Brief. If additional fees are required, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 08-2789. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

**HOWARD & HOWARD ATTORNEYS, P.C.**

May 27, 2003

Date

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**CERTIFICATE OF MAILING**

I hereby certify that the attached **Appeal Brief** and fee are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the **Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on **May 27, 2003**.

Brenda J. Hughes  
Brenda J. Hughes

## Claim Appendix

4. A motion transmitting remote control assembly (10) for transmitting motion in a curved path, said assembly comprising:

a first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections (14, 16) wherein one of said adjustment components is a female member (20) and the other of said adjustment components is a male member (18) slidably disposed in said female member (20);

a coil spring (22) supported on said male member (18) and interacting between said members (18, 20) to bias said members (18, 20) together to shorten the overall length of said first and second conduit sections (14, 16); and

a retainer (24) for retaining said spring (22) in compression on one of said members (18, 20), said members (18, 20) including an abutment (19) for reacting with said spring (22) in place of said retainer (24) to bias said members (18, 20) together in the direction to shorten the overall length of said conduit sections (14, 16).

5. An assembly as set forth in claim 4 wherein said male member (18) includes adjustment teeth (21) therealong and a locking member (19) supported by said female member (20) for engaging said teeth (21) in a locked position to prevent relative telescoping movement between engaging said teeth (21) in a locked position to prevent relative telescoping movement between said telescoping members (18 and 20), said abutment being presented by said locking member (19).

6. An assembly as set forth in claim 5 wherein said locking member (19) includes a tunnel (30) extending therethrough for receiving said retainer (24) through said

tunnel (30) during telescoping movement of said male and female members (18 and 20) in the conduit lengthening direction to allow said abutment on said locking member (19) to react with said spring (22).

7. An assembly as set forth in claim 6 wherein said male and female member (18 and 20) include complementary keyways (38 and 40) for rotary orientation of said male member (18) relative to said female member (20).

8. An assembly as set forth in claim 7 wherein said spring (22) spiraled around said male member (18) and includes an annular collar (26) reacting axially between said retainer (24) and said spring (22) and for reacting between said spring (22) and said locking member (19).

9. An assembly as set forth in claim 8 wherein said male member (18) defines an inner end (32) and said female member (20) presents a bottom end wall (34), said retainer (24) presenting a reaction surface for reacting with said collar (26) and which reaction surface is axially spaced toward said bottom end wall (34) from said abutment presented by said locking member (19) when said inner end (32) of said male member (18) is fully inserted adjacent said bottom end wall (34) of said female member (20).

10. An assembly as set forth in claim 9 including a detent (27) for holding said locking member (19) in an intermediate position out of engagement with said teeth (21) while in engagement with said collar (26).

11. An assembly as set forth in claim 10 wherein said male member (18) includes a sealing length adjacent said inner end (32) thereof in sliding engagement with said female member (20) and a reduced cross section defining a spring seat (44) therebetween, said spring (22) reacting between said spring seat (44) and said collar (26).

12. An assembly as set forth in claim 11 including a seal (46) sealing said sealing length of said male member (18) and said female member (20).

13. An assembly as set forth in claim 12 including a pillar (36) extending into said female member (20) from said bottom end wall (34) thereof, said pillar (36) having a bore therethrough, said core element extending through said bore in said pillar (36).

14. An assembly as set forth in claim 13 wherein said keyways (38 and 40) extend axially along the exterior of said pillar (36).

15. An assembly as set forth in claim 13 wherein said male member (18) presents an internal limit surface (42) for engaging the inner end (32) of said pillar (36) to limit the insertion of said male member (18) into said female member (20) to define the shortest overall length of said conduit.

16. An assembly as set forth in claim 13 wherein said locking member (19) is U-shaped with teeth (23) on the interior of said legs for engaging said teeth (21) on said male member (18) and hooks (25) at the distal ends of said legs, said detent (27) including recesses in said female member (20) for engaging said hooks (25) in said intermediate position, said female member (20) presenting catches (28) for engaging and retaining said hooks (25) to lock said locking member (19) in said locked position.

17. The motion transmitting remote control assembly (10) of claim 4 wherein said spring (22) expands axially to bias the components (18, 20) together to shorten the overall length of said first and second conduit section (14, 16).

18. A motion transmitting remote control assembly (10) for transmitting motion in a curved path, said assembly comprising:

a first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections (14, 16) wherein one of said adjustment components includes adjustment teeth (21) and the other of said adjustment components supports a locking member (19) that selectively engages said teeth (21) to prevent relative telescoping movement between said adjustment components (18, 20); and

a coil spring (22) interacting between said adjustment components (18, 20) to bias said components (18, 20) together to shorten the overall length of said first and second conduit sections (14, 16).

19. A motion transmitting remote control assembly (10) for transmitting motion in a curved path, said assembly comprising:

a first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections (14, 16);

a coil spring (22) interacting between said adjustment components (18, 20) to bias said components together to shorten the overall length of said first and second conduit sections (14, 16); and

a collar (26) supported on one of said adjustment components (18, 20) for reacting axially between said one of said adjustment components and said spring (22).

20. A motion transmitting remote control assembly (10) for transmitting motion in a curved path, said assembly comprising:

a first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections (14, 16) wherein said adjustment components include a female member (20) and a male member (18) slidably disposed in said female member (20); and

a coil spring (22) supported on said male member (18) and interacting between said members (18, 20) to bias said members (18, 20) together to shorten the overall length of said first and second conduit sections (14, 16).

21. An assembly as set forth in claim 20 including a retainer (24) disposed on one of said adjustment components (18, 20) for retaining said spring (22) in compression.

22. An assembly as set forth in claim 21 wherein said retainer (24) is formed as a projection on said male member (18).

23. An assembly as set forth in claim 20 including a locking member (19) supported by said female member (20) and movable between a locked position to prevent relative telescoping movement between the adjustment components (18, 20) and an unlocked position to allow relative telescoping movement between the adjustment components (18, 20).

24. An assembly as set forth in claim 23 wherein said male member (18) includes adjustment teeth (21) and said locking member (19) includes locking teeth (23) for selectively engaging said adjustment teeth (21) when said locking member (19) is moved to said locked position.

25. An assembly as set forth in claim 24 wherein said locking member (19) includes at least one detent (25) and said female member (20) includes at least one recess (27) for receiving said detent to hold said locking member (19) in said unlocked position while prohibiting relative movement between said female member (20) and said locking member (19).

26. An assembly as set forth in claim 25 wherein said female member (20) includes at least one catch (28) for engaging and retaining said detent (25) when said locking member (19) is moved to said locked position.

27. An assembly as set forth in claim 23 wherein said locking member (19) defines an abutment that reacts with said spring (22) during assembly of said male member (18) into said female member (20) such that said adjustment components (18, 20) are biased together to shorten the overall length of said conduit sections (14, 16).

28. An assembly as set forth in claim 20 wherein said male (18) and female (20) members includes complementary keyways (38, 40) for rotary orientation of the male member (18) relative to the female member (20).

29. An assembly as set forth in claim 28 including a retainer (24) formed on said male member (18) for retaining said spring (22) in compression and a locking member (19) supported on said female member (20), said locking member (19) being selectively engageable with said male member (18) to prevent relative movement between said male (18) and female (20) members wherein said keyways align said retainer (24) within said locking member (19) as said male member (18) is inserted into said female member (20).

37. A motion transmitting remote control assembly (10) for transmitting motion in a curved path, said assembly comprising:

a first (14) and second (16) conduit sections;

a flexible motion transmitting core element (12) movably supported in said conduit sections;

adjustment components (18, 20) interconnecting said first and second conduit sections (14, 16) and in telescoping relationship with each other for adjusting the overall length of said first and second conduit sections (14, 16);

a pillar (36) extending into said adjustment components (18, 20) and having a bore therethrough for receiving said core element (12); and

a coil spring (22) interacting between said components (18, 20) to bias said components (18, 20) together to shorten the overall length of said first and second conduit sections (14, 16).

38. An assembly as set forth in claim 37 wherein said adjustment components include a female member (20) and a male member (18) slidably disposed in said female member (20) including complementary keyways (38, 40) for rotary orientation of the male member (18) relative to the female member (20).

39. An assembly as set forth in claim 38 wherein said male member (18) presents an internal limit surface (42) for engaging an inner end (32) of said pillar (36) to limit insertion of said male member (18) into said female member (20) to define the shortest overall length of said conduit.

40. An assembly as set forth in claim 37 wherein said adjustment components include a female member (20) and a male member (18) slidably disposed in said female member (20), said pillar (36) being slidably disposed in said male member (18).